

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Tony PERVAN

Application No.: 09/343,696

Reissue of 08/436,224; issued as Patent No. 5,706,621)

Filed: June 30, 1999

For: SYSTEM FOR JOINING
BUILDING BOARDS



) Group Art Unit: 3621

) Examiner: Horton-Richardson

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. §1.56, Applicant hereby submits an Information Disclosure citation form together with a copy of each of the references listed on the form.

A concise explanation of the relevance of the foreign language references pursuant to 37 C.F.R. §1.98(a)(3) is provided below. The references are listed in alphabetical order. Moreover, as stated in 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information submitted herewith is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

BE 417526: With reference to Figures 1-6, this patent is being submitted because it discloses a coupling system. The patent discloses coupling together adjacent metal sheet panels by an angling movement, whereupon semi-cylindrical male edge portions are received in semi-cylindrical female edge portions.

FI 843060: This patent is submitted because it discloses the use of a spring clip 3 to adjoin adjacent panels. See Figures 1-3 and WO 84/02155, which is an English language corresponding application.

FR 2 568 295 is submitted because of its teachings of joints for floor panels. The joints can be best seen in Figures 1 and 3.

FR 2 630 149 is submitted because it discloses a joint between two panels. A connector 11 is provided to thereby connect two adjacent panels 10.

FR 2 697 275: With reference to Figures 1 and 2, and the abstract provided, this patent discloses a mechanical joint between two slabs, having ribs running lengthwise along the slab which are shaped so they slot into a matching groove in the adjacent slab. This patent is submitted because it discloses a mechanical connection that joins adjacent slabs.

DE UM 7102476: With reference to Figures 1-3, this reference is being submitted because it discloses a coupling system for an external wall panel system, comprising panels made of bent metal sheet material. One panel edge is hook-formed, and an opposite edge is provided with a female connector for receiving the hook. Large gaps are left between individual panels, and it appears that no attempt is made to have adjacent joining edges.

DE 1 534 278: With reference to Figures 1-3, this patent is submitted because it shows the use of extending tongues and grooves to mechanically connect adjoining panels. This reference was made of record in PCT/EP97/03006 (WO 97/47834). This reference was also made of record in a corresponding European application, and was not deemed material by the European Examiner.

DE UM 7402354: With reference to Figures 1-3, this reference is being submitted because it discloses a coupling system, including a on-way snap-type locking system for connecting panels made of bent metal sheet material.

DE 25 02 992: With reference to Figures 1-7, and the abstract provided, a flooring panel is disclosed for use in making a temporary floor. This patent is submitted because it shows the use of interlocking sections to attach adjoining panels. This reference was made

of record in a corresponding European application, and was not deemed material by the European Examiner.

DE 29 17 025: With reference to Figures 1-3, this patent is being submitted because it discloses a coupling system. In particular, the patent relates to weather-proof external wall cladding made of profiled aluminum sheets, which are adjoined by angling the panels together.

DE 30 41 781: With reference to Figures 1-12, and the abstract provided, this patent is submitted because it discloses a locking connection to securely join panels together. This reference was made of record in a corresponding European application, and was not deemed material by the European Examiner.

DE 32 46 376 is submitted because it discloses a joint between two panels.

DE 33 43 601 is submitted because it discloses a joint for a panel. The panel includes locking profiles 10, 10' on both sides of the joint. The panels can be angled together and locked both vertically and horizontally. In addition, the panels can be displaced along the long-side joint in a locked position, although such a displacement can be prevented by the components 20, 21 illustrated in Figure 1.

DE 35 12 204: With reference to Figures 1-4, this patent is being submitted because it discloses a coupling system for a covering for outdoor surfaces. The covering is made of panel elements filled with an isolating foam. The panel elements include tongue and groove locking members, which are provided with saw-tooth surfaces, such that a one-way lock is achieved.

DE 86 04 004: With reference to Figures 1-3, this reference is being submitted because it discloses a coupling system for floor members. The flooring members are connected by use of a separate connecting profile 8. However, it appears that no mutual angling is possible.

DE 35 44 845: With reference to Figures 1-6, and the abstract provided, this patent is submitted because it shows the use of shaped edges for forming a connection between adjoining boards.

DE 42 15 273: With reference to Figures 1-4, this patent is being submitted because it discloses a system for connecting panel members to an elongated member extending along the rear surfaces of the panel members. The rear surfaces of the panel members are provided with openings for receiving an interconnection element, which holds adjacent panel elements together and which is also coupled to the elongated member.

DE 42 42 530 is submitted because it discloses a joint between two panels. As disclosed in Figures 5a-5e, a first panel 11' may be angled into a second panel 11.

JP 54-65528: With reference to Figures 1 - 5 and the English language abstract provided, this patent is submitted because it discloses the use of tongues and grooves along outer edges of adjoining panels to mechanically connect such panels. This reference was made of record in PCT/EP97/03006 (WO 97/47834). This reference was also made of record in a corresponding European application, and was not deemed material by the European Examiner.

JP 5-148984 is submitted because it discloses a locking system which is essentially a vertical locking only. The horizontal lock is achieved by a nail 5. Without the nail, the two profiles 10 can be moved apart horizontally a large distance. No short-side locking is disclosed.

NL 7601733 is submitted because it discloses a locking system for a panel. In order to lock the panels into a final locking position, the profiles are bent, resulting in high tension forces that would prevent any displacement along the joint edge in the locked position.

NO 157871 corresponds to FI 843060 and WO 84/02155.

SE 372 051 is submitted because of its teaching of a joint for a building panel.

CH 200949: With reference to Figures 1-6, this patent is submitted because it discloses the use of extending tongues and grooves to mechanically connect adjoining panels. This reference was made of record in a corresponding European application, and was not deemed material by the European Examiner.

Foreign Office Actions:

Also submitted herewith are several documents from prosecution in corresponding foreign applications.

(a) European Application

Enclosed are documents from the European application. The documents include three observations filed by a competitor of the applicant. However, the European Examiner was not persuaded by any of the observations and has allowed the claims. A subsequent opposition was instituted by the same competitor, copies of that opposition and subsequent correspondence of June 8, 1999 and June 16, 1999 are being submitted herewith.

A second opposition was also filed, copies of the opposition and translation are being submitted herewith.

(b) Finnish Application

Enclosed is an office action from the Finnish examiner, in which the claims were initially rejected over U.S. Patent No. 4,426,820.

(c) Norwegian Application

Enclosed are two office actions from the Norwegian application. In the first action (December 22, 1997), the Examiner initially rejected the apparatus claims over the five references listed therein. There is little detail in the rejection and the specific claim elements are not compared against the prior art. In the second official action (September 21, 1998), the Examiner has withdrawn the rejections and allowed the claims.

(d) Russian Application

In the Russian application, the Examiner made only formality rejections, and did not reject the claims over the prior art.

(e) New Zealand Application

In the New Zealand application, the Examiner made only formality rejections, and did not reject the claims over the prior art.

An Information Disclosure Citation form listing the new references, together with a copy of the references discussed above, are enclosed. The Examiner is respectfully requested to consider the information submitted and to return an initialized copy of the information disclosure citation form to Applicant's attorney.

In the event that there are any questions concerning this Information Disclosure Statement, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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Date: September 30, 1999

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Group Art Unit: 3621

Examiner: Horton-Richardson

GROUP 3600
OCT 05 1999
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INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the
above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$240.00 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), a petition requesting consideration of the
information disclosure statement, and the petition fee of \$130.00 as set forth in 37
C.F.R. § 1.17(i) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$_____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.
§§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to
Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

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